

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**JAMIE MCKNIGHT,**  
*Plaintiff*

**v.**

**AMAZON.COM INC. *et al.***  
*Defendants*

:  
:  
:  
:  
:  
:  
:  
:

**CIVIL ACTION**

**No. 23-1449**

**ORDER**

**AND NOW**, this 14th day of May, 2024, upon consideration of Target Corporation's Motion to Dismiss (Doc. No. 76), Amazon.com's Motion to Dismiss (Doc. No. 77), eBay Inc.'s Motion to Dismiss (Doc. No. 78), WalMart's Motion to Dismiss (Doc. No. 79), all responses and replies thereto, and for the reasons set forth in the accompanying memorandum, it is hereby **ORDERED** that:

1. Target's Motion to Dismiss (Doc. No. 76) is **GRANTED**. This action is **DISMISSED WITH PREJUDICE as to Target Corporation**.
2. eBay's Motion to Dismiss (Doc. No. 78) is **GRANTED**. This action is **DISMISSED WITH PREJUDICE as to eBay Inc.**
3. WalMart's Motion to Dismiss (Doc. No. 79) is **GRANTED**. This action is **DISMISSED WITH PREJUDICE as to WalMart Stores Inc.**
4. Amazon's Motion to Dismiss (Doc. No. 77) is **GRANTED IN PART and DENIED IN PART**. Any claim relating to Amazon's post-sale duty to recall is **DISMISSED WITH PREJUDICE**, and pursuant to Rule 12(f), Paragraph 62 of the Second Amended Complaint is **STRICKEN**. Any claim of Recklessness against Amazon is **DISMISSED WITH PREJUDICE**.

5. The Motion to Dismiss (Doc. No. 77) all other claims, including for punitive damages, is **DENIED**.

**BY THE COURT:**

s/ Gene E.K. Pratter  
**GENE E.K. PRATTER**  
**UNITED STATES DISTRICT JUDGE**